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| REQUEST FOR REFUND UNDER 37 CFR § 1.28(a) Address to: BOX Refund Division Assistant Commissioner for Patents Washington, D.C. 20231 | Attorney Docket | AERX-115 |
| | First Named Inventor | ANDERSON, GREGOR JOHN |
| | Application Number | 10/506,959 |
| | Filing Date | September 14, 2005 |
| | Group Art Unit | To Be Assigned |
| | Confirmation No. | To Be Assigned |
| | Examiner Name | To Be Assigned |
| | Title: | "NOVEL DEVICE" |

Sir:

This is a request for a refund under 37 CFR § 1.28(a) for one half of the large entity filing fee of \$1390.00 which was charged to our Deposit Account No. 50-0815, as shown on our statement dated September 30, 2004 for the above-identified application. A copy of the monthly statement in which the charge appears is included with this request.

On September 7, 2004, we submitted a 371 National Phase Patent Application Transmittal erroneously indicating the above referenced patent application as a Large Entity. Upon receipt of the formal documents for filing the Response to the Missing Requirements, our client informed us that the above-reference case was entitled to Small Entity status. The undersigned hereby asserts that Applicants are entitled to Small Entity Status as defined under 37 CFR 1.27. This request for refund is being submitted within three months of the date we were informed of the error in entity status.

Please deposit the refund in the amount of \$695.00 into Deposit Account No. 50-0815.

Respectfully submitted,
BOZICEVIC, FIELD & FRANCIS LLP

Date: 4/ Oct / 05

By: [Signature]
Karl Bozicevic
Registration No. 28,807

BOZICEVIC, FIELD & FRANCIS LLP
1900 University Avenue, Suite 200
East Palo Alto, CA 94303
Telephone: (650) 327-3400
Facsimile: (650) 327-3231
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